



Report from the Capitol Public Space Advisory Committee

February 2016

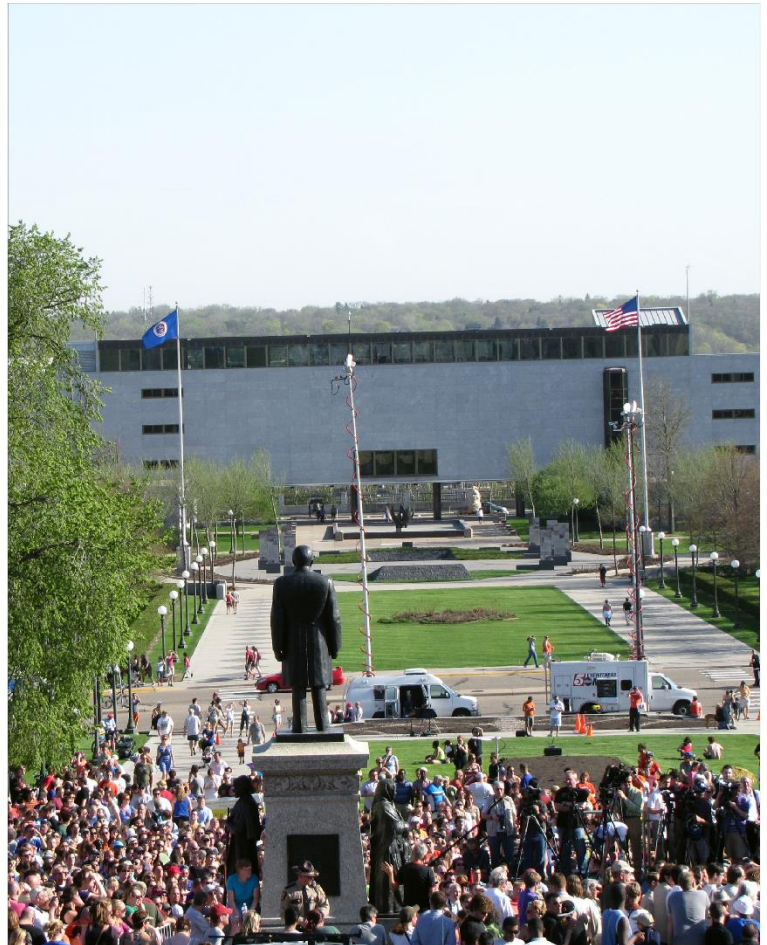


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CAPITOL PUBLIC SPACE ADVISORY COMMITTEE

This report is authored by the Capitol Public Space Advisory Committee whose duties and responsibilities are outlined below.

Committee Members

The Commissioner of Administration brought together the Capitol Public Space Advisory Committee in anticipation of the opening of the newly restored Capitol. Members include:

- Senator Bruce Anderson
- Representative Mary Murphy
- Vic Thorstenson, Minnesota Senate
- Gavin Hanson, Minnesota House of Representatives
- Bob Meyerson, Sergeant at Arms, Minnesota House of Representatives
- Sven Lindquist, Sergeant at Arms, Minnesota Senate
- Sarah Strong-Belisle, Minnesota Government Relations Council (MGRC)
- Jake Loesch, Lobbyist
- Maureen Shaver, Lobbyist
- Ben Olson, Lobbyist
- David Ybarra, Labor
- Anne Johnson, Plant Management Division, Department of Administration
- Chris Guevin, Plant Management Division, Department of Administration
- Kari Suchy, Plant Management Division, Department of Administration
- Eric Roeske, State Patrol, Department of Public Safety
- Joe Spencer, City of Saint Paul
- Jennifer Hassemer, Minnesota Management and Budget
- Christie Eller, Office of the Attorney General
- Cathy Beil, Office of Continuous Improvement, Department of Administration
- Erin Campbell, Assistant Commissioner, Department of Administration
- Alice Roberts-Davis, Assistant Commissioner, Department of Administration
- Cathy Klima, Department of Administration
- Paul Mandell – Executive Secretary, Capitol Area Architectural and Planning Board
- Joe Stahlmann, MOCA
- Gayle Junnila, Explore Minnesota Tourism
- Brian Pease, Minnesota Historical Society
- David Kelliher, Minnesota Historical Society

EXECUTIVE SUMMARY

This is the first report generated by Capitol Public Space Advisory Committee.

When the Minnesota State Capitol opens in 2017, its daily function will have changed slightly from the building we have become accustomed to over the last several decades. The renovation of the Capitol building, the updated space agreements and the building of the new Minnesota Senate Building all bring new opportunities and challenges associated with welcoming Minnesotans to the Capitol complex.

As Senators and their staff move across University Avenue into the recently constructed Minnesota Senate building, more public space will open up in the Capitol Building. We have an unprecedented opportunity to welcome Minnesotans into the Capitol, the “People’s House”. In order to do so in a thoughtful and strategic way, the Department of Administration (Admin) opted to form an advisory committee to explore ways to take advantage of the new and updated space and make the Capitol useful and welcoming.

The State Capitol is a public building for the function of government in Minnesota. Free speech is a key component to this process. Balancing freedom of speech, access to elected officials, a safe environment for visitors and staff, and a fair process for the reservation of space has required Admin, the Department of Public Safety (DPS), the Minnesota Historical Society (MNHS) and House and Senate Sergeants offices to establish strict policies and procedures that have become widely understood and accepted. Historically, this has resulted in a very safe, efficient and fair atmosphere. Moving forward, any new policies and procedures developed will need to continue to balance these priorities with a facility that needs to function in a modern and inviting way.

The Capitol Public Space Advisory Committee (Advisory Committee) took the concerns of staff seriously, while challenging each other to consider new opportunities to share the Capitol with Minnesota citizens and enhance their experience in the building. They sought to answer the following questions:

- How do we invite people into the newly remodeled Capitol?
- What is the best way to do that and do it well?
- What are the activities that can and should take place in the Capitol?
- What are the limitations to how space is used?
- What is the purpose and function of public spaces in the Capitol and on the Capitol grounds?
- What public safety and security concerns exist and how would they be addressed?

Over the course of six full group meetings and four small group meetings, the Advisory Committee has put forward the following guidance for developing policies and procedures for the use of the newly expanded public space.

Moving forward, the Advisory Committee will remain active on a quarterly basis to provide feedback on policies and procedures as they are written, any legislation that may come up, and on ideas as they are further developed.

CAPITOL PUBLIC SPACE ADVISORY COMMITTEE REPORT

Duties and Responsibilities of the Committee

The historic Minnesota State Capitol is currently undergoing its first major restoration effort since it opened over 110 years ago. The Capitol Preservation Commission was formed in 2011 by statute to develop a comprehensive, multi-year plan for the restoration, preservation and maintenance of the Minnesota State Capitol.

In 2012, the committee unanimously adopted a Comprehensive Master Plan to completely restore the Capitol. The Comprehensive Master Plan is a living document that provides a 20-year outlook for the restoration, preservation and maintenance of the Capitol. It addresses the goals and objectives for:

- Required functions of the Capitol building
- Space requirements for the three branches of government
- Long-term maintenance and preservation
- Information Technology needs
- Energy efficiency
- Security of the building and people in it
- Educational programs, including school tours
- Citizen access

Consistent with the space allocation agreement of January 2015, the restored Capitol building will include a substantial increase in public space to be administered by the Commissioner of Administration. Further, under [§16B.24](#), the Commissioner of Administration is responsible for the maintenance and operation of the State Capitol building and grounds, for renting out state property, and for leasing space in buildings under Admin's custodial control.

In order to prepare for the appropriate and smooth operation of the restored Capitol building in fall 2017, the Commissioner created an advisory committee to assist with developing use policy and procedures. The committee was composed of a broad cross-section of stakeholders—those who presently manage the buildings, who use the building frequently, advisors on legal and financial matters, and other perspectives. Recommendations are meant to inform the Commissioner and the Capitol Preservation Commission on possible and appropriate uses of the public spaces in the Capitol in order to enhance the public's experience with the building following the renovation.

The essential operating premise for the advisory committee is that the use policies and procedures must conform to and reflect the overall principles established by the Commission for guiding the project. Those principals include repairing and restoring Cass Gilbert's architectural vision, addressing life safety issues, and facilitating functional (policy-making) uses of the Capitol as the seat of state government—as well as, the 2015 space use agreement. In doing so, Advisory Committee members were asked to:

- Be innovative, inclusive, and pragmatic
- Recommend types of events that can be held in the public spaces of the Capitol
- Recommend whether events are fee-based or free to the public
- Recommend Capitol building hours of operation
- Recommend procedural, statutory, and/or rules changes regarding public space or public rallies

Finally, the Advisory Committee was tasked with incorporating their findings into a report to the Commissioner. They will continue to serve in an advisory role as policies and procedures are developed, and for critical feedback as other ideas and issues arise.

Process

The Advisory Committee met as a full group six times. Additionally, there were a series of small group meetings to look at more specific thematic issues in November 2015 (four in total). The work was guided by a facilitator from the Management Analysis Division of Minnesota Management and Budget. The Advisory Committee was accessible via call-in and the group worked by consensus.

No formal presentations were given, however the Advisory Committee routinely relied on feedback from experts in the Advisory Committee to ensure concerns or barriers were fully understood.

This report was written by Admin, the Advisory Committee facilitator, and with guidance from all members of the Advisory Committee.

FINDINGS OF THE ADVISORY COMMITTEE

Space

The Advisory Committee's conversations were predominantly focused on specific spaces. In addition to spaces that have historically served a public purpose (the Rotunda, the Great Hall, the North Hall), the restoration will add public space to the following areas:

Room #	Location	Capacity	Reserve	Closed off	Comments/Notes
B015 Gathering	Large gathering space at basement level, below the Rotunda and Room 15	Seating space for approximately 95.	Yes	Yes (if reserved, otherwise open to hall)	The room will not typically have furniture, but there will be stackable chairs for rent that can be moved in and out of the space as well as a podium. The space is not soundproof due to venting in the doors.
B610 Dining	On the basement level, the public dining section beyond the Rathskeller will be significantly expanded	Approximately 12 tables, seating 48 people.	Only if after hours events allowed	No	Small, 4-seat, low-top dining tables throughout.
B630 Justice's Dining	Basement level, Historical Justices Dining Room	Dining Table and chairs to seat approximately 6-8.	Yes	Yes	Only available by reservation. The term "Justices" refers only to its historical context, and this space is no longer associated with any specific branch of Government.
B420 Governor's Dining	Basement level, Historical Governor's Dining Room	Dining Table and chairs to seat approximately 16-18.	Yes	Yes	Only available by reservation. The term "Governor's" refers only to its historical context, and this space is no longer associated with any specific branch of Government.
321 Exhibit	On the third floor, east wing, south hall, there will be a gallery space.	Capacity determined by other simultaneous events occurring on the third floor.	Only if after hours events allowed	Yes (Gallery or exhibit space open during business hours)	No permanent furniture is included in the restoration project budget.
318	On the third floor, east wing,	Approximately 10 work	Only if after	Yes	The room does have permanent furniture-small groupings of

Flex Work Space	south hall, there will be a Flexible Work space	stations and 12-14 lounge seating.	hours events allowed		work stations and lounge seating. It may not accommodate a large, formal event.
317B Conf.	On the third floor, east wing, south hall, there is a small corner conference room.	Conference table and chairs to seat 10-12, with some additional peripheral seating.	Yes	Yes	During legislative sessions, the House and Senate will have the first opportunity to schedule this room for <i>legislative functions</i> . Outside of legislative session, the House and Senate have the same ability to reserve space as anyone else.
317A Study	At the end of the third floor east wing hall, Cass Gilbert Study	Table and Chairs to Study and Read. Final count to be determined.	Yes	No	There is permanent furniture, it may not be conducive to large, formal gatherings. At this point, no doors are planned. <i>The Advisory Committee would suggest the space is more usable with doors for privacy and noise control.</i>
317 Conf.	On the third floor, east wing, north hall, there is a small corner conference room.	Conference table and chairs to seat 10-12, with some additional peripheral seating.	Yes	Yes	During legislative sessions, the House and Senate will have the first opportunity to schedule this room for <i>legislative functions</i> . Outside of legislative session, the House and Senate have the same ability to reserve space as anyone else.
316 Conf.	On the third floor, east wing, north hall, there is a large conference room.	There is large conference table and chairs to seat approximately 22, along with seating around the exterior to approximately seat an additional 48.	Yes	Yes	During legislative sessions, the House and Senate will have the first opportunity to schedule this room for <i>legislative function</i> . Outside of legislative session, the House and Senate have the same ability to reserve space as anyone else.
315B Office	Office space on 3 rd floor north	Anticipated to office 1-2 people	No	Yes	<i>Idea is to house an employee whose job it is to interface with people using public space, make sure rooms are set up, operations are running smoothly, etc.</i>

309A	On the third floor, west wing, north hall, there will be a small conference room	Conference table and chairs to seat 4	Yes	Yes	During legislative sessions, the House and Senate will have the first opportunity to schedule this room for <i>legislative function</i> . Outside of legislative session, the House and Senate have the same ability to reserve space as anyone else.
Loggia	On the second floor, on the south side of the building, there will be access to the loggia	No permanent furniture	TBD	TBD	While not contemplated in detail in committee meetings, the newly restored loggia will need policies and procedures developed around access and use to ensure consistency and safety.

**Space Agreement Language “During legislative session, the House and Senate will be provided the first opportunity to Schedule the Public Rooms for legislative functions”.*

Hours of Operation/Scheduling (Reservable Space):

Considerable thought was also given to how to handle reservable space during and after business hours. Presently, no events are held after business hours (with the exception of outdoor rallies). The actual business hours vary throughout the year and are impacted by whether or not public legislative hearings are being held, and whether there are legislative floor sessions in progress. In the event legislative events are in process, the building remains open until committee and legislative floor sessions are adjourned. Generally speaking, business hours are as follows:

Monday-Friday 8 am to 5 pm
Saturday 10-3 pm and Sunday 1-4 pm

The Advisory Committee felt that during work or business hours (including legislative session) room reservations should be handled in the same way as is presently the case. That is to say, rooms would be available via reservation with Admin, provided the following:

- Reservations will not exceed room capacity.
- Reservations for events that are NOT public rallies should be scheduled in defined space.
- Reservations of open areas for events related to the legislative process will follow the process that exists today (obtain permit to use space from Admin).

The policies related to room and space reservations during working hours should not need to be changed. However, those policies should be available online, and in the Capitol building accessible to visitors.

The Advisory Committee has given consideration to the Capitol being opened after hours for events, but has not reached conclusion at this time.

The Advisory Committee also recommends setting timeline guidelines for any exhibits that might utilize each space. For example, presently the North Corridor allows displays to be up for 2 weeks, Rotunda reservations are 4 hours max and the Great Hall was available for full day reservations. Assigning the timelines, no back to back reservations or multiple days could be established with programming.

Process

Space will be reserved on a first come, first served basis (*with the exception of select legislative space needs*). (See space agreement language below)

The Advisory Committee agrees that a user-friendly, mobile capable website and online reservation should be explored to provide detailed information and maps showing available spaces, any rental costs associated with the reservation, the ability to make reservations online, links to policies and procedures and for use in marketing the space. Presently only the calendar can be viewed online. Additional capabilities should include the ability to:

- Identify what types of events can and cannot be held in the public spaces
- Identify rules and regulations around space, along with acknowledgement of receipt and compliance
- View a matrix that shows images of rooms, availability, size/type of event, what type of event can be held in space/room, etc
- Allow for electronic signature
- View a calendar of events to see who has space reserved and at what time

Regardless of the technology, Admin staff will continue to serve as points of contacts, answering all questions on room reservations, providing assistance and recommendations, and promoting the space where applicable.

The implementation of a web-based solution will require additional resources.

**In order to facilitate a mobile capable website and online reservation system, Admin would require additional resources. Admin has submitted a legislative budget requests that would help fund this project.*

*** Other resources include:*

[Rules Governing Public Rallies](#)

MN Statutes Chapter 1235

[Rules for Users of Public Space](#) : *This is the document that is provided to all event applicants. It's signed by the applicant and plant management with their application requesting use of public space.*

Operations

The operation of the Capitol building is provided by Admin. Additionally, DPS provides security for the space, and the Minnesota Historical Society (MNHS) provides programs in the space as an historical site.

Any event that occurs after hours will require additional staffing in terms of plant management staff, security staff, and the costs associated with operating the building. In moving forward with any public

space policy changes related to afterhours events, the Advisory Committee strongly suggests that fees be assessed to cover the expenses incurred by Admin and DPS.

The Capitol restoration is being funded with tax-exempt bonds issued by the State. Consequently, if fees are assessed, it will become important that we take every precaution to stay within the applicable IRS tax code provisions and restrictions, and that contracts and processes are mindful of these provisions. This includes:

- Any revenues generated cannot exceed the cost of operating the facility and need to be applied to those costs of operation.
- No single permitted use can exceed an aggregate of 50 days.
- If Admin or other State entity wishes to enter into contracts with specific vendors to provide services to persons renting space in the Capitol (e.g., catering, equipment), those arrangements would need to be tax-qualified contracts. Under tax regulations, space could not be leased to these outside entities.
- Develop/use accounting process to address IRS rules.

With regard to equipment rentals, presently the Minnesota Historical Society serves as a vendor to rent items inside the Capitol as needed. Outside vendors can also be used to provide equipment and other event needs. Moving forward, protocols will need to be developed to address situations in which equipment has been rented, needs to be delivered, set up or picked up, particularly if from an outside vendor. Additionally, the Advisory Committee would suggest working with preferred vendors to ensure compliance and the preservation of the building (there is much detail that would need to be worked out, including clearly defined expectations for the process, “windows” for delivery and pick-up, escorts into the building, etc.).

Finally, the Advisory Committee recommends Admin provide wall mounted notification systems (perhaps as simple as a cork board system) to post signage regarding who has reserved space.

**Resources:*

MMB Memo: After the Bonding Bill: <http://mn.gov/mmb/images/AftertheBondingBill-2014.pdf>

MMB Memo: Commissioner’s Order relating to the Use of Bond Proceeds:

<http://mn.gov/mmb/images/fourth-order.pdf>

[Operation and maintenance of buildings](#) – *Minnesota Statutes 16B.24 Subd. 1*

Food and Beverages

Presently food and beverages are consumed in many parts of the Capitol, but guidelines exist as to where the consumption of food and beverages is appropriate. For instance:

- Food and beverages are not allowed in the Rotunda.
- Finger food is permitted in the North Corridor during the months of non-session and in the Great Hall all year.
- Sit-down dinners and items containing red and/or purple dyes are not allowed (they will stain historic finishes and the marble floor if spilled. These colors penetrate the wax, stain the marble and cannot be removed through plant management floor stripping procedures).
- Food and beverages are not permitted in ceremonial areas (Rotunda, etc.) of the Capitol.

Moving forward, if catered events were to take place in the Capitol, Minnesota Department of Health and Agriculture rules and statutes would require the use of licensed and approved vendors for food and

beverages (where allowed). This is to ensure food safety standards are being met. An exception exists for potlucks.

Whether or not food and beverages will be allowed to be consumed in new public spaces has not been determined, and the Advisory Committee recommends policies be developed to provide clarity.

As with the rental of equipment, consideration also needs to be given to delivery of food and beverages. To ensure compliance with rules and regulations, and the security and preservation needs of the building, it is recommended similar protocols are developed for food and beverage delivery. The Advisory Committee would suggest working with preferred vendors to ensure compliance and the preservation of the building (there is much detail that would need to be worked out, including clearly defined expectations for the process, “windows” for delivery and pick-up, escorts into the building, etc.).

Finally, the Advisory Committee recommends Admin provide wall mounted notification systems (could be as simple as a cork board system) to post signage regarding who has reserved space.

**MN Department of Health and Department of Agriculture laws*

4626.1755 8-301.11 PREREQUISITE FOR OPERATION

4626.1770 8-302.13 QUALIFICATIONS AND RESPONSIBILITIES OF APPLICANTS

4626.1855 SPECIAL EVENT FOOD STANDS

4626.1860 MOBILE FOOD ESTABLISHMENTS; SEASONAL TEMPORARY FOOD STANDS; SEASONAL PERMANENT FOOD STANDS

***[Rules for Users of Public Space](#) : This is the document that is provided to all event applicants. It's signed by the applicant and plant management with their application requesting use of public space.*

Noise

The Capitol as a government building must constantly balance being a place where work is conducted throughout the day, and being a place where Minnesota citizens go to be heard by their elected officials (the volume sometimes being difficult to control). As such, the Advisory Committee recommends Admin continue to maintain and enforce their current noise limit of 85 decibel as measured outside either the House or Senate Chambers doors for the time being. The Advisory Committee suggests a study to determine what the appropriate volume level is at different locations throughout the Capitol, how and where to measure noise, and how best to enforce noise limits. Regardless of what the acceptable decibel level is, a strict and enforceable noise limit requires consistent monitoring applied fairly to all user groups with clear direction on how to address non-compliance.

Additionally, the Advisory Committee recommends Admin consider further noise restrictions based on size and location of rooms, a piece of information that could be added to an online matrix for use and scheduling of rooms.

As an example, the space on the basement floor will have poor acoustics, and vented doors will allow sound to carry in and out of the room. That space may not be appropriate for rallies.

Outdoor events will continue to require compliance with City of St. Paul noise ordinances.

An additional issue discussed by the Advisory Committee was the volume of televisions in the Capitol. The televisions remain an important way for the public to follow along with floor sessions and committees. However, the Advisory Committee suggests some of the *new* dining space, if televisions are present, be kept on mute to provide visitors some respite from the volume of the building. The use of closed captioning in some instances may be a way to ensure balance between volume control and the need for maximum accessibility.

**City of St. Paul ordinances: Outdoor events are vetted for noise variances through the city and are based on zoning for the area. Downtown is 70 dB and residential is 65dB from 7 am- 10 pm. Between 10 pm-7 am it's 50 dB, and anything louder than this requires a noise variance.*

***In order to facilitate a noise study, Admin would require additional resources to hire a consultant.*

****[Rules Governing Public Rallies](#)*

UNRESOLVED ISSUES

Despite many long conversations surrounding the use of public space, there remain a few issues on which the Advisory Committee did not reach agreement. A tension exists between the desire to open the Capitol up in a modern way and diversify the ways in which the space can be used, with concerns over practical matters of safety, cost and process. Below are items on which agreement was not reached, along with a few considerations that we ask Admin to keep in mind:

After Hours Events

While the use of the Capitol space for after hours events was considered and discussed at length, the Advisory Committee is not in agreement as to whether this is in the best interest of the State. Concerns identified include cost, security, and appropriateness of such events in this space. On the other hand, some feel there are any number of events that could take place in the Capitol without concern, including board meetings, retirement and birthday parties, events for non-profits, community gatherings, etc.

If Admin were to move forward with events scheduled after hours (and outside of the legislative session), space will need to be reserved at a cost. This will be necessary to cover the additional costs associated with security, janitorial and maintenance services (a cost structure has not yet been identified). Additionally, the Advisory Committee offers the following considerations:

- If there are events held after hours, it should be acknowledged that keeping attendees to only the reserved space is not practical for security purposes. Realistically, the whole building would be open and staffed for security (an increase from current staffing levels), although the use of security cameras may help reduce some need for multiple security officers.
- Given this is the case, it is possible and realistic that multiple events can happen after hours.
- If events are held after hours and equipment is being rented and delivered by an outside vendor, that will need to be carefully communicated to and coordinated with Admin to allow access to the building. This will have impacts on the Minnesota Senate Building, as deliveries will have to enter through its loading dock and traverse its garage.
- Space would be reserved through Admin using the same process noted above.
- It is recommend that for any private event, the host provides a list of invited or RSVP'd guests to monitor access to the building.

One item that needs further exploration is the matter of charging for space after hours. The Advisory Committee recommends that Admin and DPS study what expenses would be incurred and provide an hourly rate for consideration. Additionally, under federal tax regulations, revenues can be collected and applied to operating costs, but the tax code specifically excludes applying revenues to general overhead and administrative expenses. MMB would need to review this proposal to ensure it doesn't run counter to those rules. Finally, in opening up the building to the public, it is important to the Advisory Committee that using the space does not become cost prohibitive for the public.

It should also be noted that presently, the only access to the Capitol after hours is given to those associated with work in the Capitol, by virtue of their positions and card reader access. While seldom taken advantage of, anecdotally the Advisory Committee is aware that this does happen.

Charging fee for use during business hours

As a matter of consistency, there is cost to providing services to a space during hours of operation, in the same way the cost occurs after hours. If large events are happening during business hours which require additional services (in particular janitorial, as the janitorial staffing is limited during the day), those costs may need to be reimbursed.

That said, the reservation of public space for events related to government work should not hinder freedom of speech with the expectation of a rental cost.

In either scenario, the fee should only cover the cost of the event.

Exchange of money inside the Capitol for commercial events

May include charging for entering event (concert) to selling goods at the event or as an event (farmers market)

Historically, commerce (the exchange of money) has not been allowed on the Capitol complex outside of cafeterias, convenience stores or at the MNHS Information Desk. Current rule provides that no solicitations, donations, etc., shall happen in the Capitol, or on the lawn (they can occur on Martin Luther King Jr. Blvd since that is a city street). The rationale behind that has been:

- The exchange of money, in particular cash, creates a safety concern (opportunity for crime), thereby increasing the need for security
- When exchanging money is allowed, it increases the risk of solicitations/solicitors at the Capitol

Some on the Advisory Committee point out that in a modern society, however, money exchanging hands is very common in our market economy, happening every day around the world, without incident. Additionally, other options exist to provide a market process but limit the need for cash, including the use of Square technology, or purchasing tickets in advance. Finally, the market process can be controlled through rules and process (as long as fairness is a key component).

In considering what types of events might take place at the Capitol, fundraisers seemed likely (non-profits and political). While the Advisory Committee agrees political fundraisers should be strictly prohibited, less consensus exists presently around non-profit fundraisers, given the issues listed above regarding the exchange of money.

**On MLK only when an event organizer applies and pays for a block party permit through the city of St. Paul. The block party permit requires that the road is closed and sales are allowed in the specified area only.*

***Department of Public Safety Rule 7525.0400 (h) <https://www.revisor.mn.gov/rules/?id=7525.0400>*

Use of alcohol

Until recently, the sale of alcohol has been prohibited in the Capitol. However, legislation passed in 2013 allows the sale and intake of beer and wine in the Rathskeller. Administrative rules prohibit the use of red/purple dyes in the Capitol (red wine) to preserve surfaces and to prevent damage and stains.

The sale and consumption of alcohol at events increases the risks associated with security and damage to property. The consumption of alcohol at events concern those involved in the operation of the Capitol, including Admin plant management staff, DPS security and MNHS.

If alcohol is not allowed outside the Rathskeller, it will likely limit the events that wish to utilize the Capitol space. Although some smaller events may proceed (birthdays, retirement parties, fundraisers, board meetings, etc.), larger events will likely stay away as the option to purchase and consume alcohol is often synonymous with some events (such as a wedding reception, for example). Likewise, concerts or other for-profit social events on the Capitol lawn (or inside the building) would be unlikely to proceed if the sale or service of alcohol is not prohibited (the events become less profitable).

**State Liquor Laws: MN Statutes 340A.412, Subd. 4, and Laws of 2013, Ch. 137, Art.4, Sec.6.*

***City of St. Paul Liquor Ordinances: <https://www.stpaul.gov/departments/safety-inspections/licenses/liquor>*

Risk Management Best Practices: Risk Management encourages state agencies use a contractor/caterer/food service vendor that maintains Liquor Liability Insurance to handle all things related to alcohol – this shifts the liability away from the state. The insurance amount is \$2 million limited liability/per occurrence.

SUMMARY

In looking to the future, the Capitol Public Space Advisory Committee sees opportunities to improve awareness and use of the Capitol for Minnesota citizens. Through the use of improved technology, finding ways to invite Minnesotans into the building, and through active marketing of the availability of the space, it is the Advisory Committee's hope the newly renovated building will be a vibrant and social space for Minnesotans to gather.

With an improved room reservation process, the development of policies around food and beverages, a commitment to ensuring exceptional service from Admin plant management staff and DPS Capitol security personnel, and a more innovative and forward thinking way of engaging Minnesotans, we expect to improve the experience of visiting the "People's House" for years to come.

However, there are important issues that remain unresolved, as identified above. Working through these issues and finding resolution will be vital to understanding how best the Capitol space could be used or marketed. The Advisory Committee would emphasize these issues require further investigation and review.

The Advisory Committee also recommends this document be viewed as a living document that could, and should, be changed over time. The group recommends the Commissioner of Administration periodically review how public space is being used and change policies and procedures accordingly.

The Advisory Committee remains available to provide feedback on policies and procedures as they are written, any legislation that may come up, and on ideas as they are further developed.

APPENDIX

May 21st, 2015 Meeting Summary

At the initial meeting (May 2015) of the Capitol Public Space Advisory Committee, the members brainstormed a list of possible uses for public space at the Capitol. They shared those ideas and grouped them into common themes. The themes were identified and given a title. They are listed below.

Possible Use of Capitol Public Space: *Beyond the legislative and policy-making functions of the building, what are possible uses for public space at the Capitol?*

Exhibits and Displays	Performance	Private Events	Group Events	Advocacy Events	Civic Engagement Events	Education/Public Groups	Work Space	Hosting Dignitaries	Board and Commission meetings
<ul style="list-style-type: none"> • Exhibits; cultural heritage, historical, government; rotating or permanent • Non-commercial exhibitions (art, school, etc.) • Displays: science fair, runni 	<ul style="list-style-type: none"> • Artistic display or performance (visual) • Animal exhibitions • Concerts • Public performances • Concerts: high school bands and choirs • Concerts or orchestra 	<ul style="list-style-type: none"> • Private events: weddings, memorial services, graduations, celebrations • Photo-shoots • Private events: corporate, citizen, retirement 	<ul style="list-style-type: none"> • Industry or agriculture group expo; featured event • Campaign events • Conferences; multi-day, off-session time • Use of space to market state to attract new business, build relations with existing business • State employee/agen 	<ul style="list-style-type: none"> • Reception for "Days on the Hill" at Capitol rather than St. Paul Hotel • Lobby day • "Command-central" for advocacy groups • Public 	<ul style="list-style-type: none"> • Civic engagement • Government classes • Child education • Presentations: related to what goes on in building or state • Press events: "almanac," new conferenced, event 	<ul style="list-style-type: none"> • Meetings: education, civic groups, students, tourists, other • Educational use: tours, seminars, movies, school programs • Hackathon • Tours • Overnight experience (non- 	<ul style="list-style-type: none"> • Workspace • Lobbying or public advocacy 		

ng audio - video show s • Displ ays		party , small wedd ing • Rent space for form al event s: wedd ings, galas, etc. • Mem orial event s • Camp aign event s • Art fair	cy events • School group achieve ments; grade, high schools, college • Worship services (First amend ment concern s) • Beginni ng and end of races • Farmers ' Market • Air fair	rallie s • Rally shoul d have time limits (at least for vocal parts)	report ing • Meeti ng space: legisla tive, state agenc y, outsid e group s?	session); campin g on lawn, "north ern Sparks, " ghost tours • Speech and debate events: • high school, college , studen t congre ss • Lectur e and educat ion space; civics, books, etc.			
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August 4th, 2015 Meeting Summary

Based on the list of possible options for use of public space at the Capitol, the Committee identified possible considerations to evaluate the use and whether it could be managed at the Capitol. The full group identified a series of “universal” considerations that would cross all (or most) use areas. Additionally, the committee broke into small groups by use and brainstormed possible considerations for their use area that would be unique to that use (or a small number of uses).

The following identify the considerations raised.

“Universal” Considerations for Use

- **Request process to schedule activity**
Authority – statutory enabled rules for permits
Additional comments or qualifiers
 - Need to consider business hours for Capitol
 - The application to schedule a use would need to have an approval process; may not be appropriate across all activities, civic and advocate activities may not need approval
- **Maintaining security and safety of participants and facilities**
Authority – TBD
- **No commercial use in the Capitol**
Authority – IRS code compliance
- **First Amendment (Free Speech) access to the Capitol, open to all**
Authority – U.S. and Minnesota Constitutions
- **No use of substances that could destroy the integrity of the building**
Authority – Department of Administration (Admin) rules
- **Maintain proper decorum and limit interference with other activities in the Capitol**
Authority – statutory enabled rules
Additional comments or qualifiers
 - Consider keeping volume of amplified sound below 85 decibels
- **Requirements for providing food for consumption**
Authority – TBD
Additional comments or qualifiers
 - Currently, if food is served at the Capitol, it must be available to everyone in the building not just designated people
 - Food served to the public should be appropriate from a health and safety nature. The use of a licensed cater or bartender should address most of these concerns.
- **No charge for use of Capitol – [consider revising with expanded use]**
Authority – TBD
Additional comments or qualifiers
 - There are currently some situations/activities where a deposit may be requested to cover potential damages and costs for security
 - While event/activity sponsor may not be charged, there is a cost to the state for maintaining safety, equipment, clean-up, etc.
- **All events are open to public – [consider revising with expanded use]**
Authority – TBD
- **No contributions, donations, or solicitations are allowed for an event – [consider revising with expanded use]**

Authority – Department of Public Safety (DPS) rule

Additional comments or qualifiers

- There is a heightened security concern because of money availability

Exceptions or Special Considerations

The committee identified at least one exception to the current criteria for use. Possible considerations for additional exceptions will be discussed at a later meeting.

- Use of alcohol at Capitol events have been allowed for a party in the Rathskeller or during Taste of Minnesota

Considerations for Specific Use Areas

The committee broke into small groups to identify considerations for each use area. The notes below are from the worksheets given to each small group. They have not been reviewed and discussed by the full committee so they are subject to change.

Possible Use Area – Performance considerations

Consideration	Authority	Additional comments or qualifiers
Sound volume	<i>Admin rules</i>	<ul style="list-style-type: none">• Depends on work hours
Legislative working hours	<i>Legislative and Admin rules</i>	<ul style="list-style-type: none">• Civic use – OK – decibel/cut-off schedule• Private should be after working hours
City of St Paul ordinances for outdoor events	<i>City of St Paul</i>	<ul style="list-style-type: none">• Based on city ordinances
Paid or ticketed events or free	<i>DPS and Admin rules</i>	<ul style="list-style-type: none">• By not allowing people to charge you limit options• By charging you have security concerns• IRS/Bond Financial
Additional Security	<i>DPS rules</i>	<ul style="list-style-type: none">• Ability to charge for other events• Capacity – St Paul police/State Patrol
Alcohol use	<i>DPS and Admin rules</i>	
Insurance		

Possible Use Area – Advocacy considerations

Consideration	Authority	Additional comments or qualifiers
Additional home-base space	<i>Admin rules</i>	<ul style="list-style-type: none"> Open space or can be reserved
Schedules/timing	<i>Admin rules</i>	<ul style="list-style-type: none"> Availability
Alcohol sale and consumption	<i>DPS and Admin rules</i>	<ul style="list-style-type: none">
Free speech	<i>DPS and Admin rules</i>	<ul style="list-style-type: none"> Open access Permit required in certain circumstances Both sides of issue, no picking or choosing
Security	<i>DPS and Admin rules</i>	<ul style="list-style-type: none"> Cost is “comped” No additional charges if part of democratic process
Time limits	<i>Admin rules</i>	<ul style="list-style-type: none"> Ensure access
Cost	<i>Admin rules</i>	<ul style="list-style-type: none"> Free unless they incur security or damage costs or rent tables, etc.
Access to legislators	<i>Admin and Legislature</i>	<ul style="list-style-type: none"> Changing landscape Wayfinder – screens “welcome x – you are in room y”
Noise	<i>Admin rules</i>	<ul style="list-style-type: none"> Current policy

Possible Use Area – Work Space considerations

Consideration	Authority	Additional comments or qualifiers
Work space: allocated by agreement		
Business center		
Open whenever Capitol is open		
Free use, equal access		
First come, first serve		

Must schedule conference rooms		
Conference rooms limited to agency use? Could public groups use?		

Possible Use Area – Private Events considerations

Consideration	Authority	Additional comments or qualifiers
Risk is that it would be open to anyone. . .		
Infrastructure – not normally during business hours		<ul style="list-style-type: none"> • Security • Facilities, etc.
Tax constraint – any revenue would have to go toward the operating expenses		
No commercial use – photo shoot could be an endorsement of a product or person		
Liability insurance required for public space rental		
Would require Plant Management to rent equipment, etc. so that floors, surfaces, equipment is not damaged		
Scheduling around special session as a consideration (without notice)		

Possible Use Area – Exhibits and Displays/Group Events considerations*(nothing permanent – see Art Committee of MHS/CAAPB)*

Consideration	Authority	Additional comments or qualifiers
Special exhibits – gallery space on 3 rd floor		<ul style="list-style-type: none"> • If special requirements curated-sponsoring body (MIA, Arts Board, other) handles security, insurance
Rathskeller		<ul style="list-style-type: none"> • Question of usage fee • Check environmental requirements weight and load, lighting, charges and hour, insurance
All TVs and audio visuals displays in Capitol Building		<ul style="list-style-type: none"> • Mute, closed caption (unless in closed room)
Public space (corridor and Rotunda)		<ul style="list-style-type: none"> • New rules on amplification levels • Farmers’ Market (NOT) • Campaign (political fundraisers)?
Public spaces (rooms) and Conferences (multi-day)		<ul style="list-style-type: none"> • Capacity (fire code) • Needs new rules • Charges may be pro-rated, non-profit

Possible Use Area – Civic Engagements/Education and Public Groups considerations

Consideration	Authority	Additional comments or qualifiers
Hours of operation	<i>Admin rules</i>	<ul style="list-style-type: none"> • For Capitol • For public space
Agenda	<i>disclosure of all included props and program; Administrative Rule</i>	<ul style="list-style-type: none"> • Length of program • Sound – amplified
Size of group	<i>Department of Administration, fire code</i>	<ul style="list-style-type: none"> • Room capacity
Security		
Insurance	<i>DPS rules</i>	<ul style="list-style-type: none"> • Protection of property

September 9th, 2015 - Meeting Summary

“Drill down” on universal options

At the August Capitol Public Space Advisory Committee meeting, the members identified a list of “universal” considerations that could be needed regardless of the capitol use identified. At this meeting, the members “drilled down” on these options to identify the unique challenges in being able to use the Capitol space in a variety of ways.

Additionally, members combined some of the universal considerations as it became apparent they were addressing the same or similar concerns. The updated list is below:

Identified “Universal” Considerations for Use:

- Process or request to schedule an activity
- Maintain security and safety of participants and facilities
- Capitol open to the public, open access to all
- Maintain the integrity of the building
- Maintain proper decorum and limit interference with other activities in the Capitol
- Commercial use options in the Capitol; options for contributions, donations, or solicitations for an event
- Requirements for providing food for consumption
- Options to charge for use of Capitol

Considerations discussed included:

- **Process or request to schedule an activity**

Items discussed included:

- Currently there is an established process and structure for scheduling an event or activity at the Capitol
- Request process; seven days prior to schedule
- Limited spaces/places at Capitol can be scheduled
- Needs approval from Department of Administration for event; availability of identified space and safety of participants are key for approval

Challenges discussed with scheduling an event include:

- lack of open space in the Capitol to hold an event,
- the wide variety of services needed and the logistics to provide the service, and
- Needing access to space at the Capitol for those going to the event, those working at the Capitol, those visiting the Capitol and those working in the Capitol.

During discussion on scheduling activities, the group noted issues with impromptu events that may happen either as a response to an event or spontaneously based on a topic or issue. The following notes that discussion.

- **Impromptu events that happen “spontaneously”**

- Safety concern: primary concern is interaction with other group(s) and the number of people involved – fire safety can be used to help put some parameters around number of people; blocking of entrances and office
 - Impromptu events are difficult to plan ahead: options to address safety issues include: maintaining an open dialog with people at the event especially leaders, ask

them what they are trying to do and understand their rights to do it, ask them to be aware of their surroundings, involve Capitol Security, as needed

- May be a counter demonstration to a scheduled event/activity
 - Personal interaction with demonstration organizers/leaders by Department of Administration staff or Capitol Security to identify space for impromptu event

Additionally, the “impromptu” discussion identified key challenges of other considerations. They have been noted under the consideration area.

- **Maintaining security and safety of participants and facilities**

Items discussed included:

- Determining group size and space needed to hold the event comfortably
- Determine staffing needed to provide security
- Potential option to pay/charge for security at specific events

Note: City of St. Paul has a process for events and alcohol prohibition, review to gather ideas.

- **Maintain proper decorum and limit interference with other activities in the Capitol**

Items discussed included:

- There are statutory provisions and rules that govern the conduct of business in the Capitol, need to determine
- Somewhat a cost of doing business; public space and freedom of speech, etc.
- Possible option to charge for disruption (breaking the rules) or damaging equipment and space;
 - may be difficult to identify person or entity to charge

Challenges discussed with maintaining decorum

- Noise and disruption of others (people working, hearings, etc.)
 - Amplification of sound can be disruptive
 - currently not allowed to exceed 85 decibels
 - talk with organizers to reduce noise
- Group not complying with the rules
 - Frequently the intent of the event is to be loud and disruptive therefore many efforts to keep noise down may fail;
 - for hearings, have better sound equipment in the rooms and have them properly set;
 - for offices and hearing rooms, use door trim kits and other “soundproofing” options to reduce disruption

Note: With Capitol remodel most (all but one) hearing rooms will have two doors to act as barriers to help with sound reduction

- **Maintain the integrity of the building**

Items discussed included:

- Currently there are statutes and rules in place to limit the use of substances that could destroy the integrity of the building
- Process of scheduling events is opportunity to notify organizers/participant of rules and maintaining the integrity of the Capitol
- Some “wear and tear” may happen with normal use

- **Commercial use in the Capitol** (*conversation was initiated but will be completed at the October meeting of the Committee*)

Items discussed included:

- Continue to facilitate the normal work in the Capitol – Legislature, Courts and other business of the state
- Conduct a cost/benefit analysis to determine feasibility and potential for commercial use at the Capitol

Challenges discussed with commercial use

- Safety and the need for additional officers because of the presence of money and the need to monitor for theft, etc.
- If providing food, need to ensure proper quality for health concerns
 - Option for licensed food vendors
 - Current Capitol cafeteria vendors and sight impaired vendors
- If a fee is charged, what is the rate and who determines? Currently no contributions, donations, or solicitations are charged for use of Capitol
- With a fee, is there potential to put money back into the facility, process to do and appropriate amount
- Potential current rules that may need to be changed to allow commercial use option:
 - Consider change in Department of Administration rules to allow for holding private or limited attendance events,
 - Limitations created by using bonds for reconstruction;
 - need to make sure proceeds collected are returned to operations funds
 - need to maintain public use focus of Capitol
 - additional bond requirements
 - Discuss and determine if private events can be held at the Capitol or if all events are considered public

October 7th, 2015 - Meeting Summary

Continuation from September 9, 2015 “Drill down” on universal options

At the August Capitol Public Space Advisory Committee meeting, the members identified a list of “universal” considerations that could be needed regardless of the capitol use identified. At the September meeting and this meeting, the members “drilled down” on these options to identify the unique challenges in being able to use the Capitol space in a variety of ways.

Just as a reminder, the universal considerations list is identified below. The primary areas covered at the October 7, 2015 meeting are in bold.

Identified “Universal” Considerations for Use:

- Process or request to schedule an activity
- Maintain security and safety of participants and facilities
- **Capitol open to the public, open access to all**
- Maintain the integrity of the building
- Maintain proper decorum and limit interference with other activities in the Capitol
- **Commercial use options in the Capitol; options for contributions, donations, or solicitations for an event**
- Requirements for providing food for consumption
- **Options to charge for use of Capitol**

The Committee continued its conversation on **Commercial use in the Capitol** that was started at the September meeting.

Items discussed included:

- **Space considerations**
 - Identify space at the Capitol that can be scheduled for commercial use.
 - Such space could be more defined in that it has a door or some structural attributes that makes it easier to confine
 - Department of Administration rules would need to be changed to allow for the identification of certain areas of the Capitol for commercial use

Challenges discussed with space for commercial use include:

- Define “private” or “commercial use”
- Identify what rules (and statutes?) need to be changed, amended, etc.
- The Constitutional officers, the Courts, and the Legislature all occupy space at the Capitol and may have differing provisions or opinions about space use and “commercial” or “private” space use. Discussions need to happen about determining a consistent policy or at least communicate how each entity wants to address the issue.

- **Timing considerations**
 - Space could be available for commercial use during off hours, when the Capitol is closed or when the legislature is not in session.
 - Cost for using space would be to cover staff and material that would not usually be available during “off” hours; staff would include security and set-up and tear-down crews

- Space for commercial use would be very limited or not available when the legislature is in session; also includes special session

Challenges discussed with space for commercial use at the Capitol include:

- Capitol use during session frequently would require the space for legislative function; also special sessions which are much more difficult to plan around; option to address is to not make the space available during regular session and have a clause in the contract stating that space would be relinquished in the case of a special legislative session.

- **Resources and security considerations**

- Security personnel for “crowd control” and to direct to location of the event (keeping people away from other closed parts of the Capitol)
- Assessment of need for security; also equipment and supplies for event
- Cost to rent space would cover security, staff for set-up and tear-down, equipment and supplies (also noted in timing above)

Challenges discussed for commercial use

- Use of preferred vendor (not sole vendor) for event planners to choose from that meet state specifications
- Exchange of money at event inside the Capitol is a safety concern
- Additional staff may be needed for . . .

- **Structural options/security considerations**

- Based on structure of building, determine which spaces can be separated off/cordoned off for commercial events; such structural items include; doors, walls, limited width areas that can function as a “door” way

Challenges discussed for commercial use

- Current structure was not created with cordoned off spaces in mind so structural options to create these areas may be limited; with current and future renovation in mind, these structural dividers may be created. Need to look at what is available now, what is available in the future through renovation, and what will not be available because of structural and/or esthetic integrity of the building.
- For some locations in Capitol, it may be difficult to keep a person from “wandering into” an event.
- The concern that the building is open to the public and a commercial event may limit the access to an area that has been designated for a commercial event.

- **Risk considerations**

- Do a cost/benefit analysis of commercial use at the Capitol. What is gained both financially and non-financially? What are the costs (both financially and otherwise)? Is charging for an event, etc. cost prohibitive?
- Liability insurance coverage and amount
- Use of alcohol: 1) limited to certain spaces – Rattskeller; or 2) limited service – if limited service probably will need legislation; security for events with alcohol; only white wine can be used
- Rates to charge for use: market rates; define rate and who is authorized to collect (currently set by Administration)

- Payment process for event; needs to happen outside of Capitol or buy a ticket before entering Capitol
- **Bonding and tax exempt status considerations**
 - For surety or general obligation bonds
 - No solicitations (Utah has administrative language that might be helpful)
 - Tax exempt statute
 - Short-term events
 - Use tax qualified contracts
 - Use of vendor to book concerts
 - Pre-approval of vendors – choose vendor from state list
 - Funds collected from events by state are placed back into operations of the Capitol.
- **Additional considerations**
 - A structure or framework needs to be designed/developed to establish parameters for commercial use and determine cost for such use – PMD and DPS could initiate
 - Parking issues for events; especially during session or special session
 - Research or talk to people who rent out private space in various buildings for additional considerations and issues to review
 - Research other states' use of Capitols; what is allowed; how are issues raised above addressed

Next Steps

Advisory Committee members were asked to complete a homework assignment to identify unique challenges to specific Capitol use areas and how they may be addressed. Four small groups were formed to accomplish the homework. Their work will be reviewed at the November meeting.

November 9th, 2015 - Meeting Summary

Edits to October meeting notes

- In the October meeting notes, on page 1, under “Identified ‘Universal’ Considerations for Use,” sixth bullet, change “Commercial” to “Private”

Specific Use Areas – Considerations and Challenges

At the October meeting Advisory Committee members were asked to complete a homework assignment to identify unique challenges to specific Capitol use areas and how they may be addressed. Four small groups were formed to accomplish the homework. Their work was reviewed at this meeting.

The four teams each took two specific areas of use identified at the June 2015 meeting. They included:

- Work space, Private events – Green Team
- Group events, Exhibits and displays – Blue Team
- Advocacy events, Performance – Red Team
- Civic engagement events, Education/Public groups – Purple Team

Each team reviewed the work they did and took questions from the other members of the committee. Each teams’ notes are attached.

Key points from discussions.

- Work space, Private events – Green Team
 - Security for private events after hours – security needed to maintain boundary keeping private event participants out of other areas of Capitol
 - Noise from events disrupting work; maintain decibel level standard (85db at chamber door)
 - Fee charged for after-hours private event to cover costs (security, equipment, damage, etc.)
 - Develop rules for after-hours private events and place on website; potential to use website to: inform of options, educate on rules, and schedule event
 - Not all the spaces in the Capitol will/should be treated the same; depends on capacity, ability to secure, proximity to other areas, etc.
- Group events, Exhibits and displays – Blue Team
 - Develop a “front-door digital portal” for a one-stop-shop on Capitol space and use (options to); empower people to use space
 - Inform on events, rules, spaces
 - Educate on process, who to contact, enforcement of rules
 - Market on what spaces are available, opportunities to use Capitol
 - Schedule space for use
 - Campaign and/or press conference use
 - Determine use options and issues for press room, who decides
 - Use of Capitol space for fundraising is “bad form;” should not be allowed; 501C4 (PAC)
 - Non-political (not for profit group) fundraising is allowable

- Consider option to charge extra fee for events to place in special fund to restore Capitol in future
- Advocacy events, Performance – Red Team
 - For the most part, process for advocacy events is working now
 - Promotion of space for performance venues; not all space and performance needs to be guided by size/capacity of space
 - Develop options based on size of space, time of year (session or not)
 - Activity for space selected on a first-come-first-serve basis
- Civic engagement events, Education/Public groups – Purple Team
 - Identify spaces for food and drink; Ratskeller allows alcohol
 - Plan for or identify cost of clean-up after events; fee to cover cost; from damage to facility to debris brought in on shoes

Key consideration across multiple Use Areas

- **Noise:** difficult to deal with but rule exists now to keep at 85 dB level
- **Security;** Department of Public Safety is responsible by statute
- Develop a **communication plan utilizing website** to inform, educate and schedule; operationalize by website for a matrix of rooms, uses, times
- **Timing of events:** hour of day for some, after hours for other, limited times during session – be thoughtful of others when scheduling events
- **Capacity** of room or space
- **Fairness** in implementation rules and access
- **Identify and charge for direct and indirect cost** of use; cost of security, clean-up, equipment use, utilities, other
- **Equipment** and procurement of equipment for events; Historical Society is providing and storing equipment now
- Use of an **approved vendor** addresses a number of issues
 - Food
 - Equipment
 - Event promotion
 - Other
- **Scheduling** driven but space, capacity and fairness; some rooms will not be reserved
- **Money changing hands** (identified as safety issue in Capitol)
 - Sale of items (i.e., farmers' market), **limit to outside of Capitol**
 - Admission to event, can be done by a pre-event ticket
 - Food and drink (where allowed) can be part of event and paid for with ticket
 - **No solicitation allowed**
 - Fundraiser – private event for non-profit (not political)
 - Determine responsibilities and space identified for House, Senate, press room, Historical Society, Department of Administration

Other considerations to address – universal or specific

- Lying in state
- Parking for events

- Accessibility
- Cost prohibitive for some use options
- The philosophical shift in function from a government role to a more commercial use
- Develop definitions for key terms: for example, space, equipment

Capitol Public Space Advisory Committee

May 21, 2015/October 7, 2015

Possible Use of Capitol Public Space: *Beyond the legislative and policy-making functions of the building, what are possible uses for public space at the Capitol?*

Advocacy Events	Performance	Group Events	Exhibits and Displays	Civic Engagement Events	Education/ Public Groups	Work Space	Private Events
<ul style="list-style-type: none"> • Reception for “Days on the Hill” at Capitol rather than St. Paul Hotel • Lobby day • “Command-central” for advocacy groups • Public rallies • Rally should have time limits (at least for vocal parts) 	<ul style="list-style-type: none"> • Artistic display or performance (visual) • Animal exhibitions • Concerts • Public performances • Concerts : high school bands and choirs • Concerts or orchestra 	<ul style="list-style-type: none"> • Industry or agriculture group expo; featured event • Campaign events • Conference; multi-day, off-session time • Use of space to market state to attract new business, build relations with existing business • State employee/ agency events • School group achievements; grade, high schools, college • Worship services (First amendment concerns) 	<ul style="list-style-type: none"> • Exhibits ; cultural heritage, historical, government; rotating or permanent • Non-commercial exhibitions (art, school, etc.) • Displays : science fair, running audio-video shows • Displays 	<ul style="list-style-type: none"> • Civic engagement • Government classes • Child education • Presentations: related to what goes on in building or state • Press events: “almanac,” new conferences, event reporting • Meeting space: legislative, state agency, outside groups? • Hosting dignitaries 	<ul style="list-style-type: none"> • Meetings : education, civic groups, students, tourists, other • Educational use: tours, seminars, movies, school programs • Hackathon • Tours • Overnight experience (non-session); camping on lawn, “northern Sparks,” ghost tours • Speech and debate events: • high school, college, student congress • Lecture and education space; 	<ul style="list-style-type: none"> • Workspace • Lobbying or public advocacy • Board and Commission meetings 	<ul style="list-style-type: none"> • Private events: weddings, memorial services, graduations, celebrations • Photo-shoots • Private events: corporate, citizen, retirement party, small wedding • Rent space for formal events: weddings, galas, etc. • Memorial events • Campaign events • Art fair

		<ul style="list-style-type: none"> • Beginning and end of races • Farmers' Market • Air fair 			civics, books, etc. <ul style="list-style-type: none"> • Board and Commission meetings 		<ul style="list-style-type: none"> • Hosting dignitaries
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December 14th, 2015 - Meeting Summary

Report Outline – DRAFT

Purpose for report/committee

- How do we invite people into the newly remodeled Capitol?
 - What is the best way to do that and do it well?

Pre-amble

- The State Capitol is a public building for the function of government in Minnesota.
- Free speech is a key component to the function of government

Process for using facility

- “Web” driven (or technology of the time to allow for the information and communication on use of the facility); currently the calendar can be viewed through the web
- User friendly process developed to schedule and inform on events at the Capitol
- Web process can inform what is available
 - Identify what can and cannot be held/done in the public spaces
 - Image of a matrix that shows rooms, if booked, size/type of event, what type of event can be held in space/room, other
- Rooms scheduled on a first-come-first-served basis
- Identify key contact person for event
- Allow for electronic signature

Note: During session, determine who has final say over a rooms/space use.

Space

During work/business hours (including session)

- Identify capacity of room – that is key to determining use allowed
- Closed rooms – defined space
- Open areas – process exists today to obtain permit to use space for government event
 - After hours – open space can be reserved for a fee – cover cost of security and administrative
- During business hours a process and program currently exists to use public space rooms

During “after-hours” (session is out)

- Fee for all events to cover security and administration; need to determine cost/fee structure
- Whole building would be open and staffed for security; use of security cameras can help reduce some need for staff;
- Multiple events can happen after hours
- Equipment rental and delivery – obtain and get into the Capitol
- Need to reserve space (process above)
- Event provides invite list of people attending

Concerns

- What is the cost/benefit of holding events after hour? Will the cost be so large only a few can participate? Balance with being a public space and not open only to the wealthy.

Operations

- Identification and promotion of rules of use for the Capitol; use web and postings in building to promote/inform
 - Review and update processes for various entities that have provisions for Capitol use: DPS, Admin, MHS, Senate, House
- Fees for use cover cost of event and go back into operations of the Capitol
- Develop provisions for logistics and equipment; tables, chairs, etc.
- Build from current system to identify and communicate room reservations; what is available and who has space reserved
- Tax/IRS provisions and restrictions – can be worked into contract for event
 - Limit number of events per ____? ____
 - Funds generated need to put back into operations of the facility
 - Develop/use accounting process to address IRS rules

Food and Drink

- Use licensed and approved vendors for food and drink (where allowed)
- Develop rules on food on a room-by-room basis; i.e. large room with more people will have different provision than a small room that only holds a few people.
- Need to also consider delivery of food and drink to rooms/locations in Capitol
- Alcohol currently only allowed in Rattskeller – use existing rules to maintain this provision
 - Use vendor (cafeteria vendor??)
 - Consider protocols for delivery of large quantities of alcohol to event

Noise

- Maintain current 85 decibel provision
- Consider further noise restrictions based on size and location of rooms; add this piece to matrix for use and scheduling of rooms

Unresolved issues

- Charging fee for use during business hours
Discussion points:
 - Public space for government work which includes freedom of speech, freedom includes free of charge
 - Fee to only cover cost of event
 - During work hours/session, space would be more limited
- Exchange of money inside the Capitol for commercial events (includes charging for entering event (concert) to selling good at the event or as an event (farmers market)
Discussion points:
 - Increases the need for security, cash exchanging hands create the opportunity for increased crime; high crime area around Capitol
 - Does the state want to promote a “flea-market” image for the Capitol
 - Current rule provides that no solicitations, donations, etc. shall happen in Capitol
 - Money exchanging hands is common in our market economy
 - The market process can be controlled through rules and process, fairness is a key component
 - Currently cash transactions happen outside the Capitol on Martin Luther King Blvd.
 - Technology can be used to provide a market process but limit the need for cash; Square technology

- Issues/concerns with non-profit fundraising effort – is that effort allowed
- Currently, MHS has process in place to sell books in Capitol

Assist in drafting report

- Bob Meyerson
- Anne Johnson
- Paul Mandell

Red Group Meeting Summary

Red Team: Performance and Advocacy Events

Performance (promotion of events vs. promotion of space)

Potential criteria: promotion, reservations, accounts(?), security, PMD, parking, ticket vs. free, non-profits – fundraisers, bond/IRS issues

Challenges or issues to address

- **Keeping space open** (accessible, especially during the legislative session)
Options to address
 - The current system works but spaces should be promotedWho can address: Tourism, Department of Administration (Admin) and City of St. Paul can promote
- **Acoustics or noise**
Options to address
 - Not much to be done in this area
 - Preferred spot for rallies in rotunda
 - Small rooms not for performance space
 - New rooms not right for loud events (appropriate decibel range)Who can address: Department of Administration and Department of Public Safety (DPS) to address
- **Security, PMD**
Options to address
 - During regular hours – OK
 - Outside – recoup with fees
 - Contract for outside servicesWho can address: Admin and DPS to address
- **Performances are ticketed/free**; City of St. Paul ordinances, security, bathrooms, alcohol, size, parking
Options to address
 - Legislative changes, no cash exchanged; profit – no profit; operations only; booking agentWho can address: Legislature, Admin, DPS, PMD, and City of St. Paul
- **Nonprofits** – promotion/picking winners and losers
Options to address
 - Fair process, no promotionWho can address: Admin
- **IRS/Bond issues**
Options to address
 - Compliance with IRS/Bond laws and provisionsWho can address: Minnesota Management & Budget (MMB), and Attorney General (AG)

Advocacy Events

Potential criteria: permits, reservations of space, security, noise, cleaning room(s) for others to use, space

Challenges or issues to address

- **Permits** – new spaces, challenges and attorney fees
Options to address
 - Rule making process, change form
 Who can address: Admin

- **Reservation of space, priority of use, deference to legislators, locking up space**
Options to address
 - First-come, first-serve basis
 - Priority to conference committee/committee
 - Website reservation process – calendar of events; have clear instructions and guidelines on website to address issues
 - No continuous meetings – book 30 days in advance? Different policies for in/out of session
 Who can address: Admin, DPS to some extent

- **Security** – work well as is
Options to address
 - Generally no changes
 Who can address: DPS, Admin

- **Noise**
Options to address
 - Preferred spot for rallies in rotunda
 - Small rooms not for performance space
 - New rooms not right for loud events (appropriate decibel range)
 Who can address: Admin, City of St. Paul

- Permit spaces expanded for more space/rules passed – criteria – very difficult

- Leave room for others

Blue Group Meeting Summary
Blue Group Meeting-October 22, 2015

Possible Use Area – Exhibits and Displays/Group Events Considerations

Members:

Erin Campbell – Administration
Jen Hassemer – MMB
Cathy Klima – Administration
Jake Loesch – Lobbyist/Public Affairs
Ben Olsen – Lobbyist/Public Affairs
Dan Rinta – DPS
Maureen Shaver – Lobbyist/Public Affairs

Areas identified that have challenges or issues to address, how they can be addressed and by whom

- 1. The new Capitol group space that can be used for group events needs to be marketed. Awareness of the new space is needed and outreach to those who may want to use it should be done. Things to be considered:**

- a new, comprehensive website informing the public and groups of the new Capitol group space
- introduce new ways that the public can interact with the legislature when the legislature is in session
- widespread dissemination of information to let the public know that there are “new tools in the toolbox” for people who come to the Capitol
- a current assessment needs to be done of how people access information about how to use the Capitol group space
- Explore MN, Historical Society, Visit St Paul are all potential partners in this effort

- 2. A comprehensive review of the private and public use of the new space needs to be done. Things to be considered:**

- need to define and develop criteria of private use (private purpose) and public use (public purpose). Some of this info may already exist. A review of current practice should be done.
- a list needs to be developed of the private spaces and public spaces post- Capitol renovation
- ask for criteria used by the Historical Society for use of their public spaces

- 3. An assessment needs to be done about how the Capitol group space is used during the legislative session and when the legislature is not in session. Things to be considered:**

- is there different criteria during session and non-session?

- 4. Need to look at the use of the Capitol group space for private events during non-session and public events during non-session**

- 5. How do we get more people to use the Capitol group space post-renovation?**

6. May need to complete a professional market review of the Capitol group space, post-renovation. What space does it compete with? How should it be marketed and by whom?

7. Need more information on prohibition of the use of the Capitol for campaign events before making recommendations. Things to be considered:

-currently, there is space in the Capitol complex where press conferences are held for campaign kick offs, campaign announcements

-the capitol is sometimes used in campaign commercials

Purple Group Meeting Summary

Purple Team: Civic Engagement Events and Education/Public Groups

Civic Engagement (people coming to Capitol to participate in government)

Challenges or issues to address (the following challenges can apply to all categories for this team)

- **Noise, size of group and capacity of space** (room size and number of restrooms)

Options to address

- For noise – sound insulation, xx and capitol security
- For size – limited by permit and room dimensions (capacity

Who can address: Both Plant Management Division (PMD) and Capitol Security (CS) can address

- **Cleanliness**

Options to address

- Permit issued by PMD and Plant Management enforcement

- **Conflict**

Options to address

- Permit to designated space – PMD issues
- Security monitoring – Capitol Security

- **Safety**

Options to address

- Organization holding the event has responsibility for maintaining a safe environment
- Surveillance (and monitoring) by PMD and CS

Who can address: Overall collective effort by event organization, PMD and CS

- **Security**

Options to address

- Address on a case-by-case basis
- Security plan developed based on group and/or event

Who can address: Capitol Security has overall authority

Education/Public Groups (including government classes, youth education, and presentations)

Challenges or issues to address (also applies to private meetings)

- **Hours of operation** (after hours) – clean-up, security, and utility costs

Options to address

- Permit through PMD and security through CS

- **Venue/Program**

Options to address

- Statutorily cannot perform self-tour
- Minnesota State Historical Society (MnHS) must perform tour

- **Priorities** (who gets the space)

Options to address

- First come, first served basis, permit issued through PMD

- **Equipment and training material/supplied**

Options to address

- Guidelines developed for: event holder, Minnesota Historical Society, and PMD\

Commission and/or Board meeting

Challenges or issues to address

- **Cost**

Options to address

- Develop cost estimate based on size of event (PMD, CS, and MnHS)

- **Access and confinement**

Options to address

- Cost estimates based on size of event (PMD, CS, MnHS)

Green Group Meeting Summary

Work Spaces and Private Events (Green)

Considerations apply to public spaces that include all public corridors (open to use by individuals on ad-hoc basis), special public spaces (Rathskellar, Governor's dining room and Justice's dining room, as well as B-15 (open circular space under Rotunda) in basement, (Great Hall and identical space on east wing on ground floor, North Corridor on first floor, and those rooms of third floor east wing designated as public.

Work Space

Current practice: Work spaces are not a practice in public spaces (Great Hall, Rotunda, North Corridor); ad-hoc in Rathskellar. Board meetings, state agencies and other state business in Senate or House rooms per reservation through respective body on first come first serve basis.

Advocacy type group use of public space (as listed above) is per reservation through PMD, for House or Senate rooms, per respective body, again, on first come, first serve basis. No use of either public or private space after hours (M-F 7-5, Sat. 10-3, Sun. 1-4), unless through tenant.

Future practice: Public corridors, Rathskellar, open dining areas on ad hoc basis. At least some of public rooms will remain open to multiple users, just as a library reading room. Basement rotunda to remain open as part of hall unless reserved, in which case doors will be closed to control noise and again, any equipment coordinated through PMD.

Some of the new public rooms on third floor (with exception of gallery space) and separate dining rooms in basement should be available for reservation on a first come, first serve basis, within limits (one day at a time, not on consecutive days, and limited number of reservations per legislative session). Authority and coordination lies with PMD (Admin.).

There should be some public posting of reservation and access policy for all, including Wi-Fi, to assure equal access. There should also be some method to post reservation at the entry to the room, standardized and controlled.

Both work spaces and public spaces (individual rooms) after hours by reservation only, with costs.

Assumption is made that any House or Senate rooms are locked when not in use-during or after hours.

Expectation is that reserveable public rooms will also be controlled, as opposed to those which are open to any, which would only be locked after hours.

1. Question of whether House or Senate plan to rent room for lobbyists as in the past?? If not, will they be claiming or renting an office that might currently be listed as public?

PMD to continue to solicit numbers anticipated (to avoid exceeding capacity limits), equipment needs, contact information, other background as needed, through existing permit system.

Private Events

Current Practice: Not currently allowed, save for photo shoots (within limits and proper notification for expectations with regard to privacy) though tenants, elected officials and state bodies, with clearance of PMD or Capitol Security if for a group, or ad hoc if informal, do access the building.

Future Practice:

Considerations up front:

If we are to have private rentals, a special private event process and document will need to be established, to include application with clear instructions, including rules on deposit and cancellation policy, permitted smoking zones, etc.

Reservation on first come, first serve basis? A question due to concerns for equal access.

Special rules during Legislative Session.

Fees- During hours (room=\$ x); Questions of perception over rental of rooms to private events during hours-public building available for sale?

After hours (building=\$\$ xx) non-refundable deposit (?), at least within last seven days prior to event due to personnel scheduling needs, insurance (currently \$2 mil. on Mall), security (Capitol Security), w/ need determined by Cap. Sec. on case by case basis to control access, set-up and clean-up, personal safety measures, snow removal, and other related costs. Invite list and admittance by check in / I.D. only.

Equipment vendors (during hours-limited choice, after hours-MHS only)

Food/beverage? Retaining limits on alcohol to current law for Rathskellar; elsewhere, current policy w/ prohibition on red or purple dyes (cool aid, grape juice, jello, red cabbage to name a few))

Appropriateness of tiered costs for after hour use, as used with many municipal facilities and school buildings- related to government =\$ x, non-profits or civic groups= \$\$ xx, private parties/ for profit= \$\$\$ xxx (v. same need to cover operating cost)?

Third floor Gallery- secured after hours; during hours- open to public, may require fees for special events or possibly security

Open dining areas and Rathskellar- TVs on permanent closed caption to allow the public quieter space for eating and breaks, use by others on ad hoc basis (with exception of Rathskellar which can be reserved through PMD).

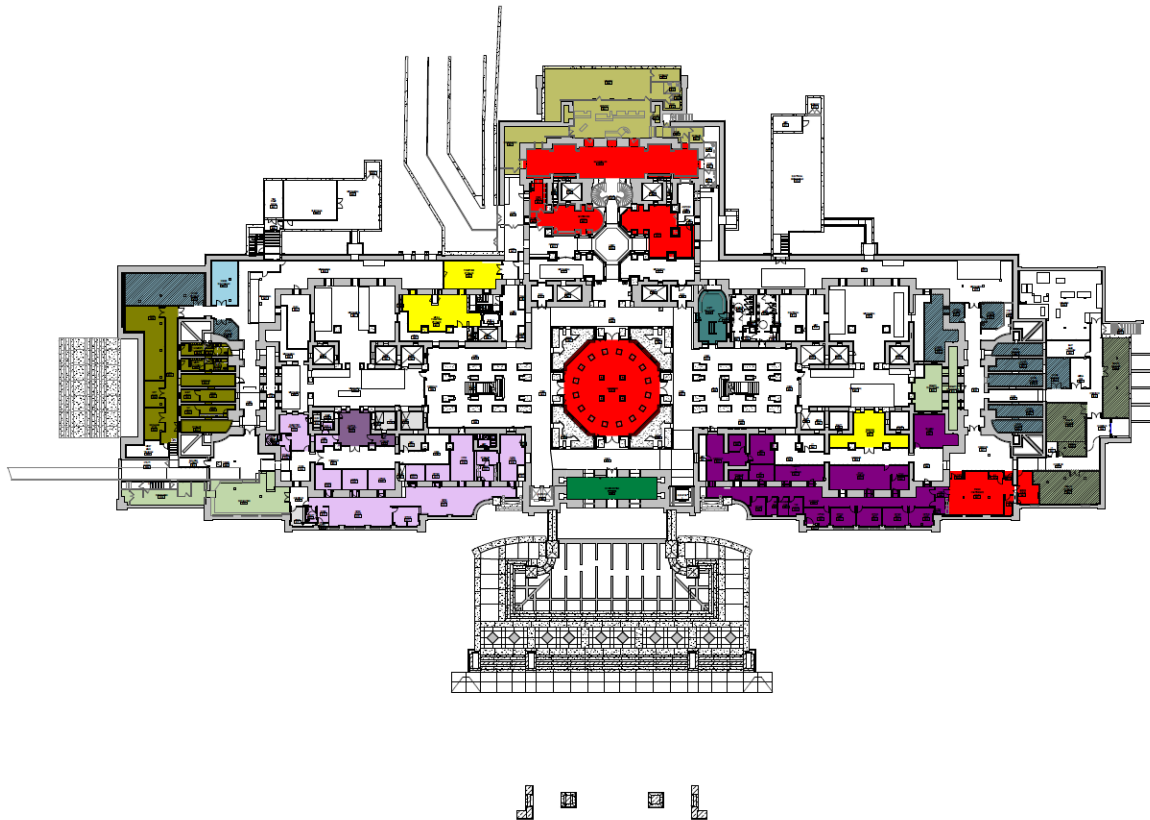
Room B-15 (open space below Rotunda and G-15- open hall space with doors open unless reserved for private use-no chairs or furniture generally, though likely with art and/or exhibits.

Note: All new stairwells, while allowing for egress out of the building, are unsecured; meaning that anyone using the third floor east wing spaces after hours will need to cover or control not only the elevator but at least three stairwells that could give one access to the entire building, thus adding to security costs.

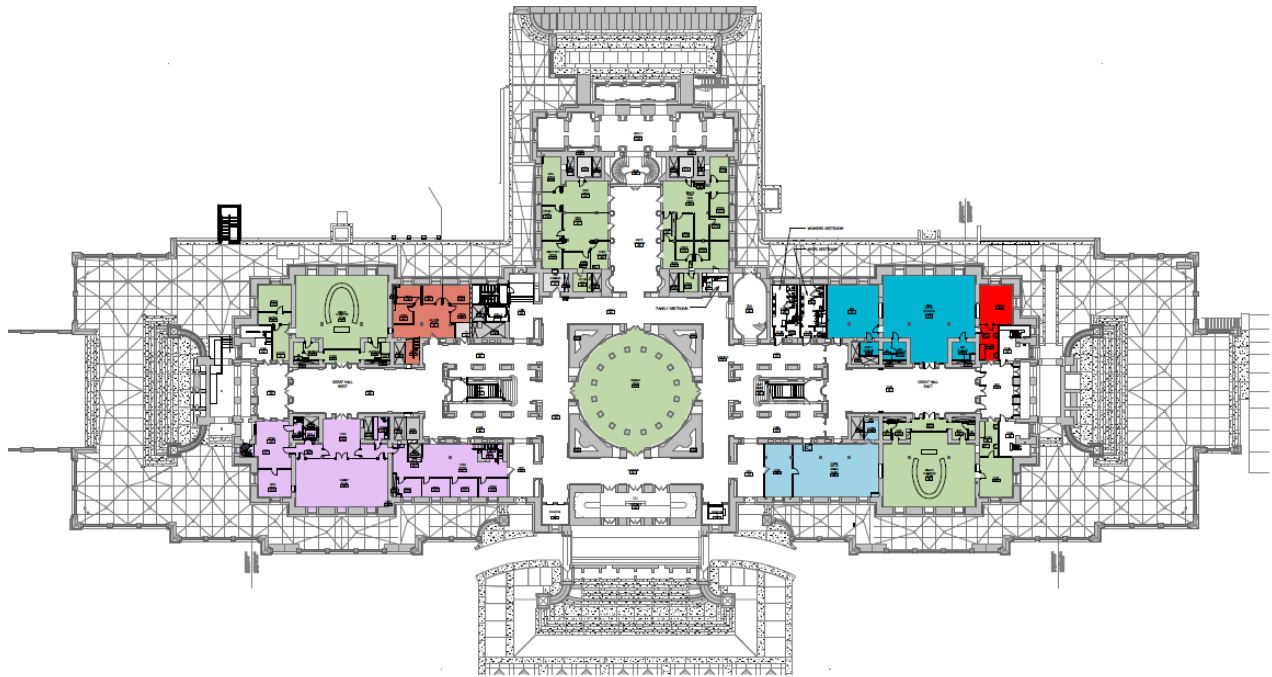
Maps of New Public Space

The maps below depict new public spaces in red. Room numbers are included and can be seen when magnified.

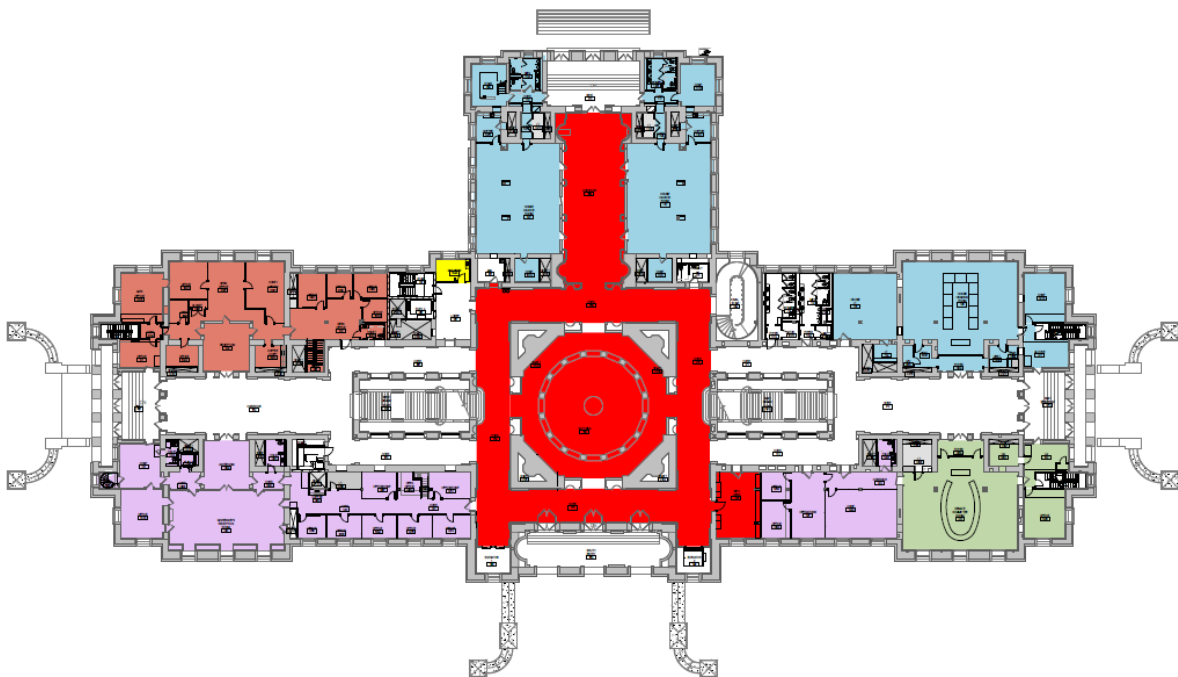
Basement



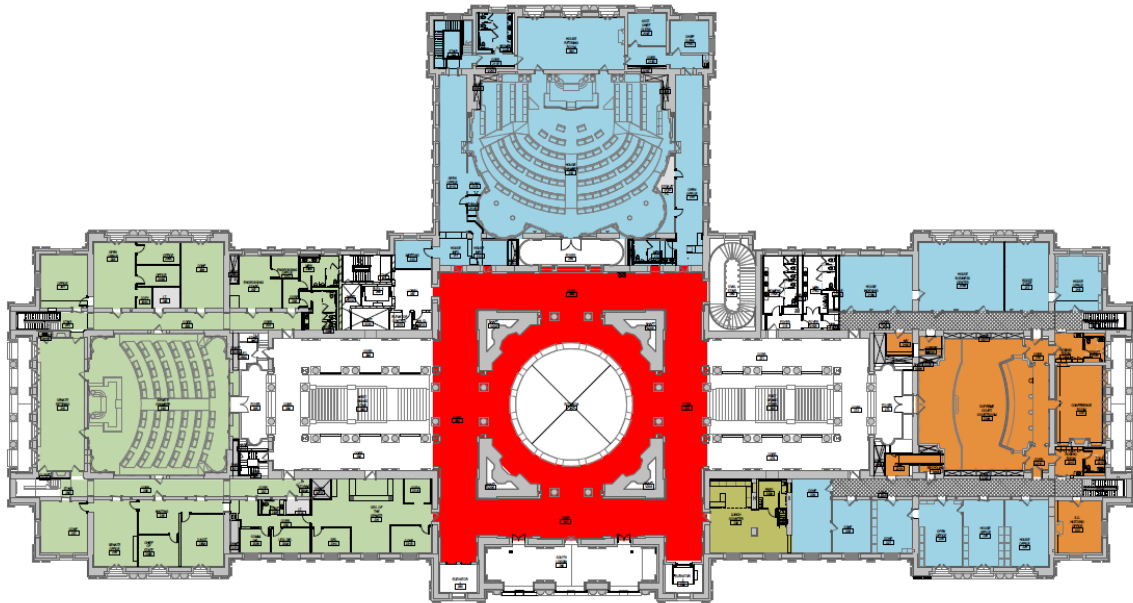
Ground Floor



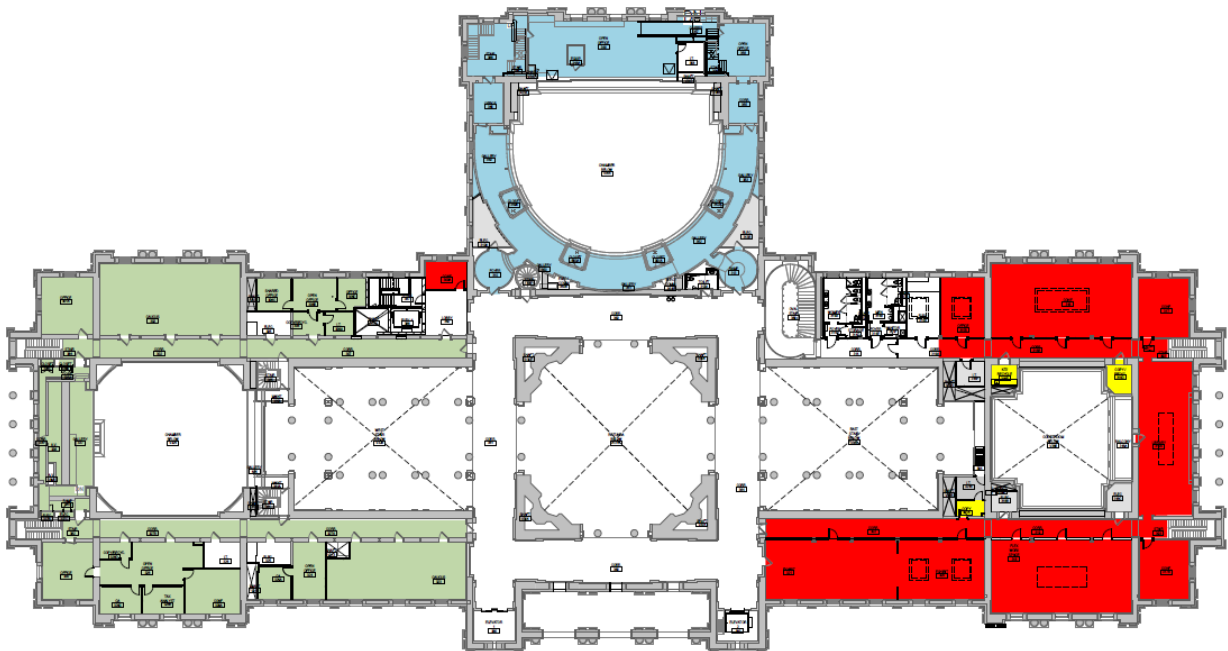
First Floor



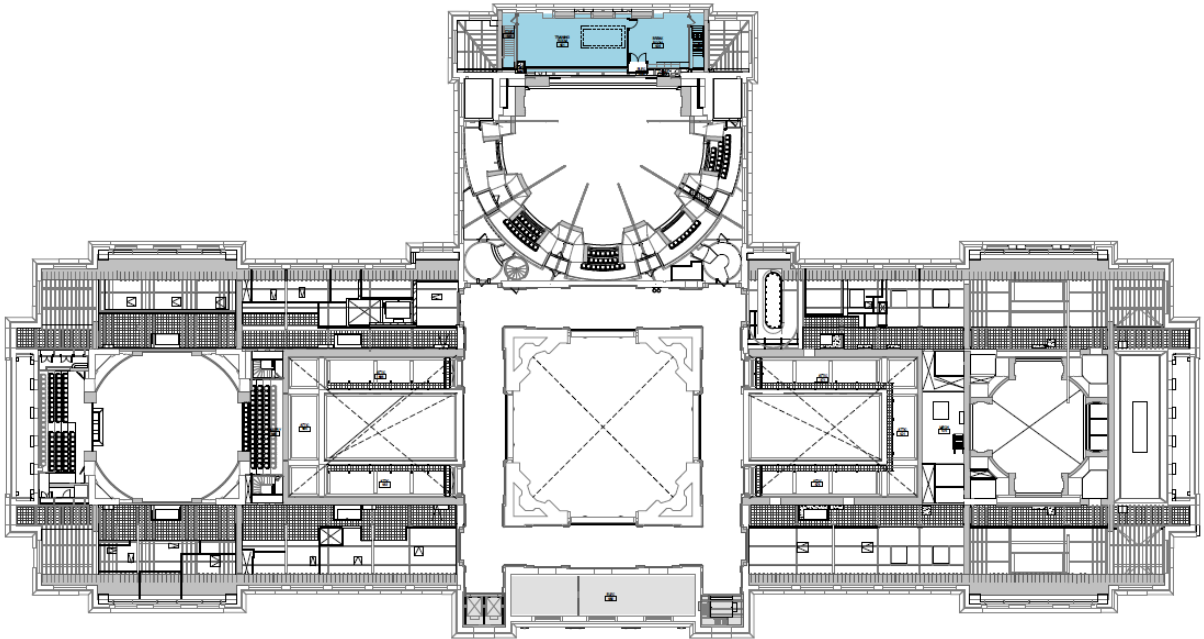
Second Floor



Third Floor



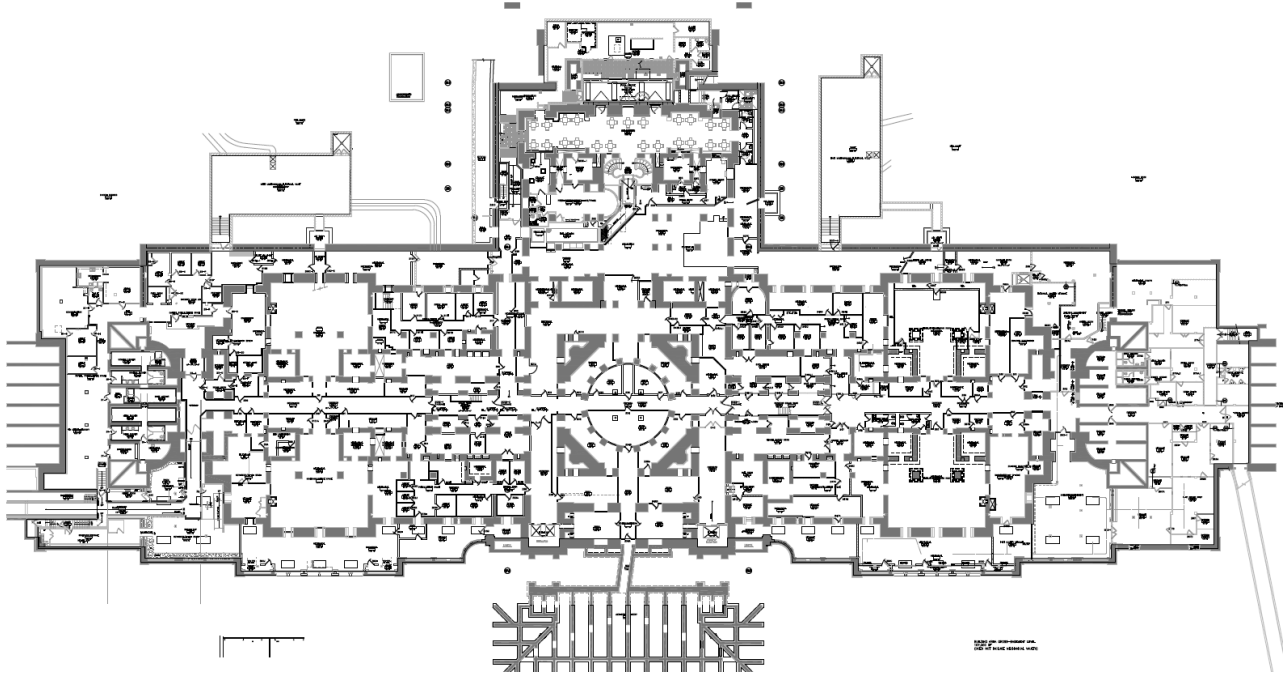
Fourth Floor



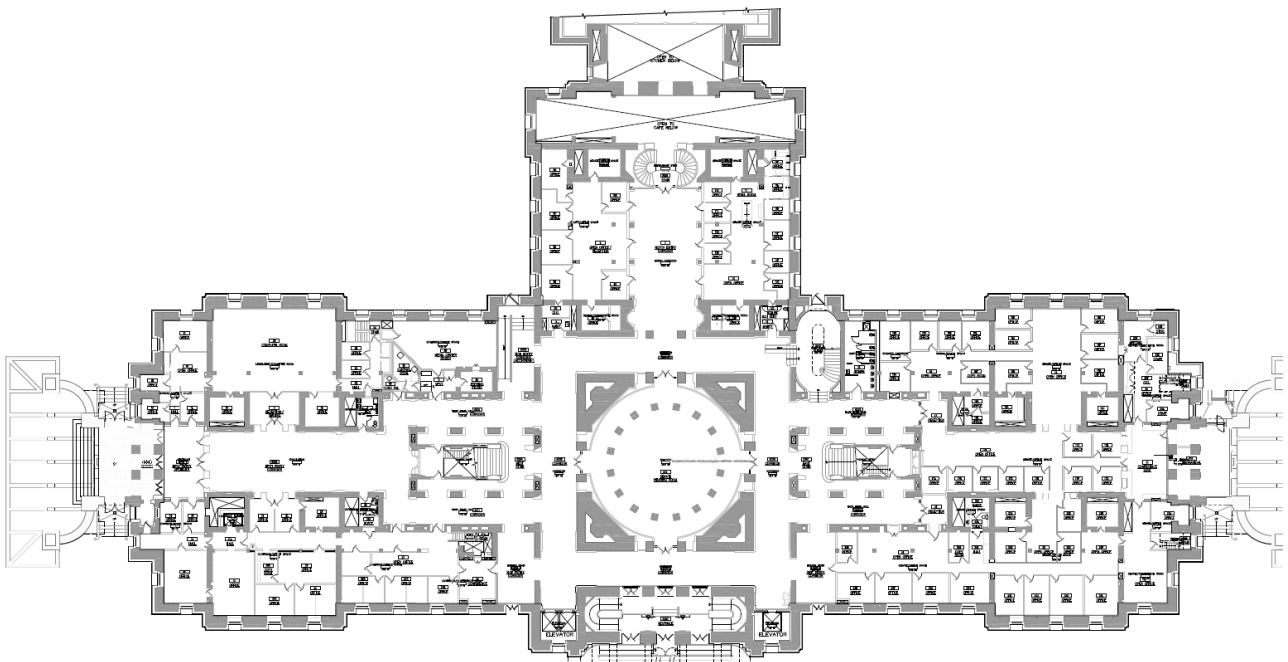
Map of Existing Public Space

The maps below include room numbers, visible when magnified.

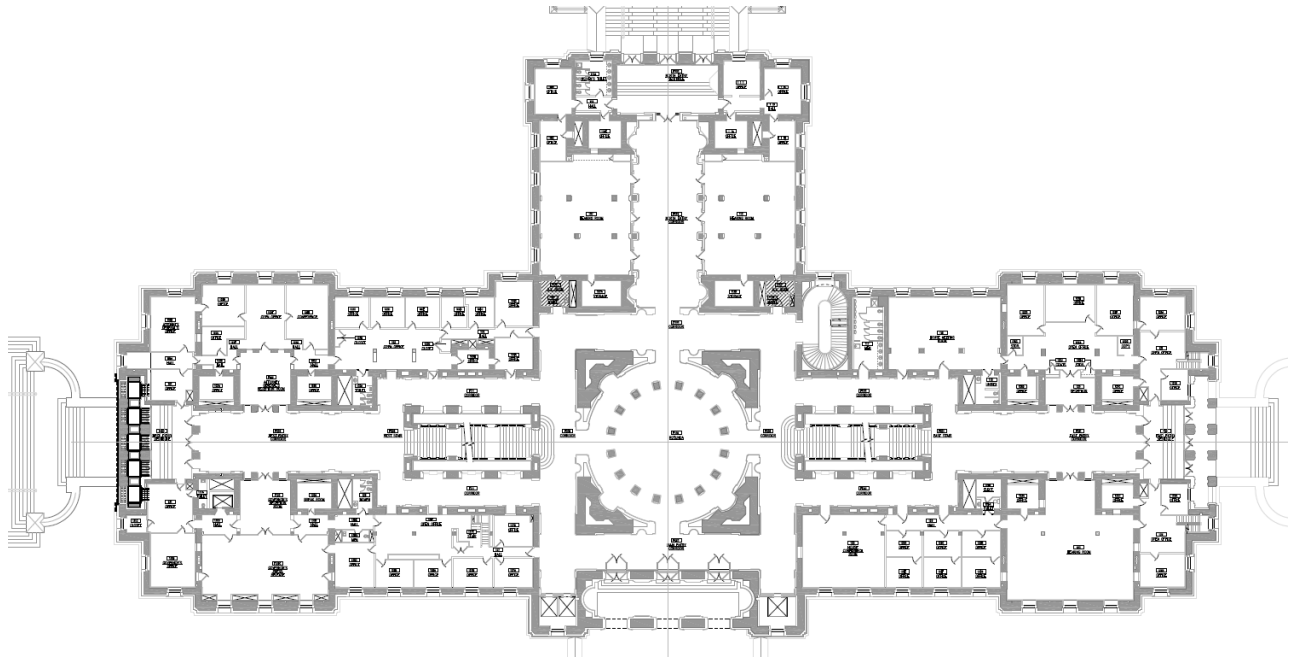
Basement



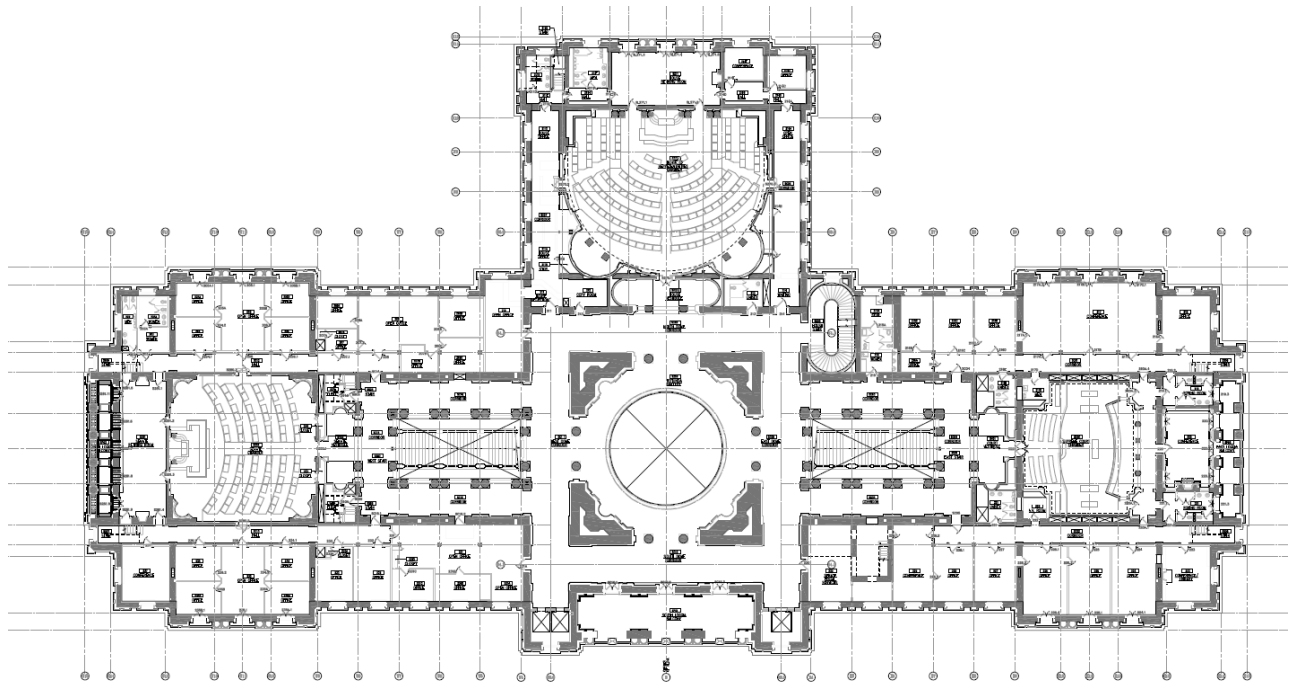
Ground Floor



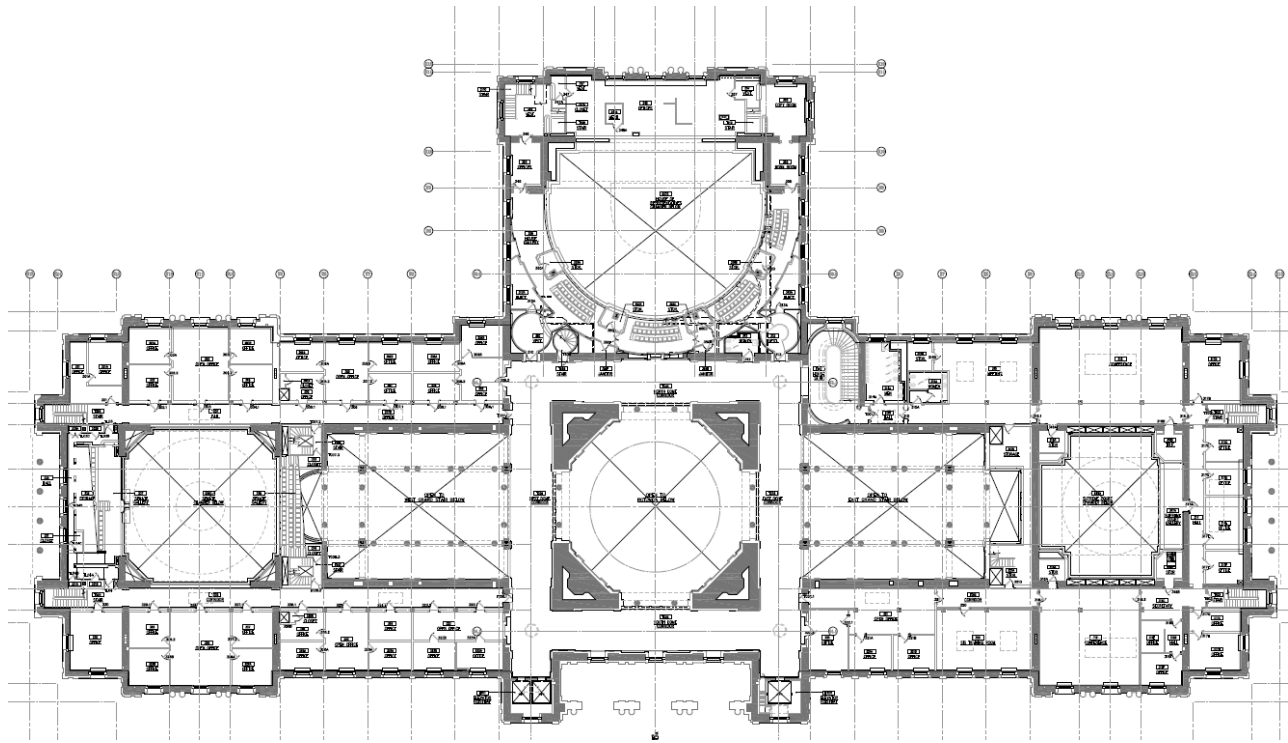
First Floor



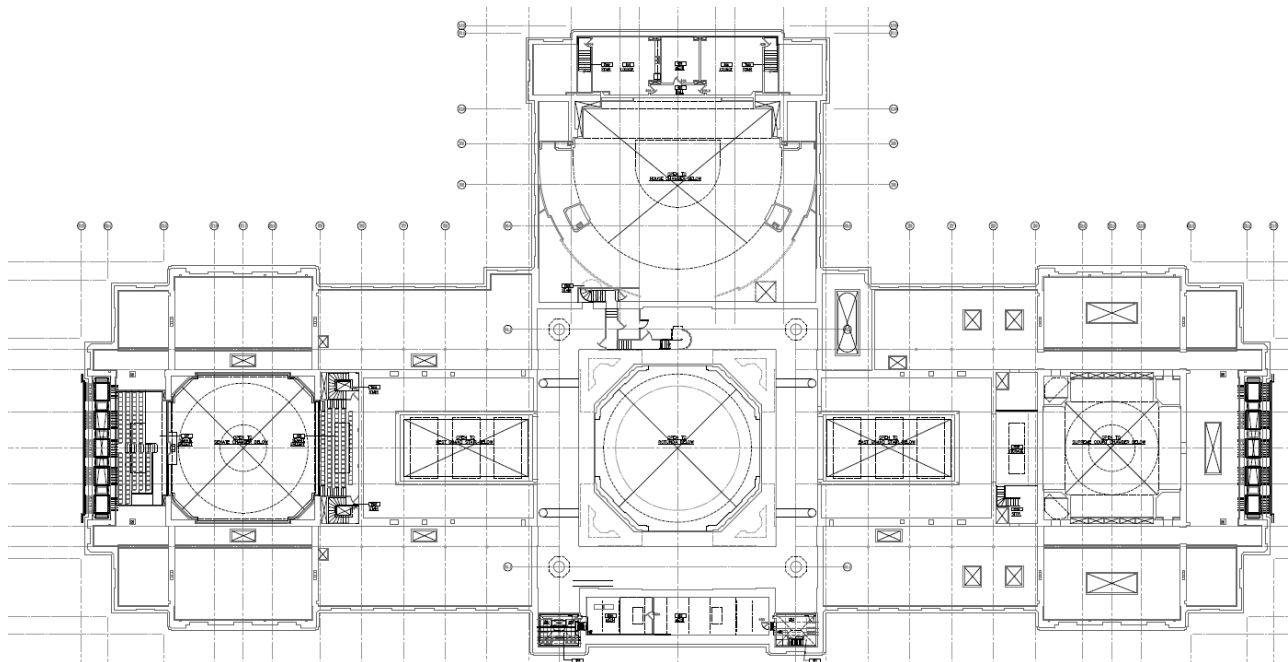
Second Floor



Third Floor



Fourth Floor



Public Space Agreement

Minnesota State Capitol Restoration
Preserving our past. Preparing our future.



ARCHITECTURAL INTEGRITY. BUILDING FUNCTIONALITY. LIFE SAFETY.

SPACE ALLOCATION AGREEMENT

THIS AGREEMENT is between the Minnesota State Senate ("Senate"), the Minnesota House of Representatives ("House"), and the Governor of Minnesota ("Governor").

WHEREAS, the State Capitol Preservation Commission approved a comprehensive master plan in February 2012 to complete a comprehensive restoration of the Minnesota State Capitol Building to preserve the building for future generations of Minnesotans;

WHEREAS, the master plan established 1) Architectural Integrity; 2) Functionality; and, 3) Life-Safety as the guiding principles for the restoration of the Capitol Building;

WHEREAS, Senate, House and Governor desire to provide for improved functionality of the Capitol Building for the citizens of Minnesota as part of the restoration of the State Capitol Building.

NOW, THEREFORE, in consideration of the benefits to the public, the parties agree as follows:

1. Effective upon substantial completion of the restoration of the State Capitol Building, the space in the State Capitol Building shall be allocated to the Senate, House and Governor as shown on the color-coded plan dated January 21, 2015, attached hereto as Exhibit A.
2. The space allocated to the House, Senate, and the Office of the Governor is not assignable, except upon written consent of the same parties who executed and approved this Agreement, or their successors in office.
3. Hearing, meeting and caucus rooms allocated to the House and Senate shall not be re-purposed, except upon written consent of the same parties who executed and approved this Agreement, or their successors in office.
4. The orientation/classroom space allocated to the Minnesota Historical Society shall be available to the House and Senate for conference committees during the final 30 days of legislative sessions. The House and Senate, respectively, will coordinate scheduling with the Minnesota Historical Society.


A handwritten signature in black ink, appearing to be "J. L. ...", located below the fourth item of the list.



5. The House shall be allotted up to three member offices in the State Capitol Building, and the House shall determine how that space is used. The Senate shall be allotted up to four member offices in the State Capitol Building, and the Senate shall determine how that space is used.
6. The Third Floor, East Wing shall be designated as follows:
 - a. House space as shown on colored-coded plan is designated for public use to be administered by the Commissioner of Administration.
 - b. The remaining space on the Third Floor, East Wing shall be designated as Public Space to be administered by the Commissioner of Administration.
 - c. During legislative sessions, the House and Senate will be provided the first opportunity to schedule the Public Rooms for legislative functions.
7. The parties will work together, including but not limited to designating representatives of the Senate, House, Governor and Department of Administration, to effectuate the purpose and intent of this Agreement.
8. This written Agreement constitutes the complete agreement between the parties and supersedes any prior oral or written agreements between the parties regarding the allocation of space in the State Capitol Building.
9. Any amendments to this Agreement must be in writing and will not be effective until executed and approved by the same parties who executed and approved this Agreement, or their successors in office.

MINNESOTA STATE SENATE

By



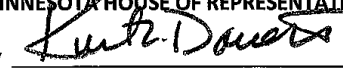
Thomas M. Bakk, Majority Leader

Date

1/22/15

MINNESOTA HOUSE OF REPRESENTATIVES

By



Kurt Daudt, Speaker

Date

1/22/15

GOVERNOR OF MINNESOTA

By



Mark Dayton, Governor

Existing Policies and Rules that Apply to Public Space

[Rules Governing Public Rallies](#)

MN Statutes Chapter 1235

[Rules for Users of Public Space](#)

[Operation and maintenance of buildings](#) – 16B.24 Subd. 1

Department of Public Safety Rule 7525.0400 (h) <https://www.revisor.mn.gov/rules/?id=7525.0400>

Policies from Various Entities on Use of Space

Minnesota Senate Policies:

https://www.senate.mn/departments/secretary/sergeant/room_schedule.pdf?=2016

Minnesota House of Representatives: No policies available.